

DRAFT
23 February 1955

ADJUDICATE: Ad-Hoc Subcommittee on Information Processing

SUBJECT: Staff Study on the Third Agency Rule

PROBLEM:

To modify internal IAC practice in the dissemination and reproduction of classified information by other than originating agencies to assure effective support of intelligence research and operations.

FACTS BEARING ON THE PROBLEM:

Executive Order #10501, Sect. 7, par (c) limits receiving agency reproduction and dissemination of classified information as follows:

- (c) "Information Originating in another Department or Agency. Except as otherwise provided by section 102 of the National Security Act of July 26, 1947, c. 343, 61 Stat. 498, as amended, 50 U.S.C. sec. 403, classified defense information originating in another department or agency shall not be disseminated outside the receiving agency without the consent of the originating department or agency. Documents and material containing defense information which are classified Top Secret or Secret shall not be reproduced without the consent of the originating department or agency."

DISCUSSION:

- "Consent of the originating department or agency" for both dissemination and reproduction is the key phrase in the above order, and it seems likely that the wording was expressly designed with the object of facilitating - whenever it should be desirable - the achievement of interagency agreements in the form of blanket authorizations for dissemination and reproduction under mutually acceptable restrictions. Such an agreement appears now to be operative among the three service agencies within the Department of Defense, as each of them is able to provide document services to the two others. During 1955 State, Army, Navy and Air Force

all formally agreed that CIA might provide microfilm copies of their documents to the National Security Agency.

- b. This paper proposes an exchange of blanket agreements between member agencies of the Intelligence Advisory Committee which will authorize, under the consent provisions of the above Executive Order, dissemination of the principal categories of IAC-produced information reports and finished intelligence studies by receiving agencies to third agencies of the IAC community. The purpose of these agreements shall be to guarantee to properly accredited IAC intelligence officers prompt access to all intelligence information, regardless of originating Agency, which central reference facilities anywhere in the IAC indicate to be of possible relevance to their intelligence projects.
- c. With respect to the reproduction of documents originating with another IAC agency, the proposed agreements shall also provide that: "whenever a reference facility in any one of the IAC agencies has specified to an accredited intelligence officer of another IAC agency titles of intelligence documents which from their subject codes appear relevant to his problem, that agency shall be authorized to provide him for inspection or for retention the full text of each such document. If retention is specified the supplying agency may reproduce the document at its discretion. However, retention copy shall be delivered to the home office of the requester through established inter-agency channels and in accordance with the security limitations imposed by the originating agency on each document concerned. In addition, the circumstances of reproduction shall be fully recorded and the record kept available for inspection upon request by the agency which originated the document."

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d. The following are the principal arguments in support of these proposals:

- 1) No change whatsoever is proposed in the regulations governing security classification of documents, nor in the regulations of any IAC agency relating to accreditation of IAC intelligence officers for purposes of inter-agency research, nor in the penalties which apply to misuse of classified documents.
- 2) The proposals establish the principle that authorization to the intelligence officer of one IAC agency to use the reference facilities of another constitutes establishment of an equivalent "research need to know" and positively commits the latter agency to afford timely access to its information, using all available facilities for rapid reproduction and dissemination.
- 3) With respect to reproduction of classified documents, the proposed agreement takes account of the fact that manual systems of storage and retrieval of hard-copy documents can no longer satisfy intelligence time schedules. Instead, the agreement would recognize a technological breakthrough in the field of document control through application of the latest film and electronic devices. In many new systems reproduction is a basic premise of operation and henceforth must and can be properly utilized without confusion with security concepts and practices.

e. The U. S. intelligence agencies have spent or committed large sums of money since World War II to develop systems for indexing, storage and rapid retrieval of intelligence documents. These systems are intended to provide intelligence officers with:

- 1) faster and more comprehensive searches of large numbers of intelligence documents.
- 2) protection against duplication of collection and research effort.
- 3) economy in the research effort of highly trained personnel by minimizing preliminary, often manual and clerical steps necessary heretofore in assembling source materials for intelligence purposes.

The practical effect of existing regulations concerning document reproduction and dissemination is to delay inter-agency realization of these objectives. This may be seen in current IAC use of CIA's central reference facilities.

CIA's [REDACTED] has been, up to the present time, the most highly developed reference system in the IAC. [REDACTED] can provide references to most of the documents of any IAC agency, published since 1948, and concerning any one of many hundreds of intelligence subjects.

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It can provide, on relatively short notice, comprehensive listings of the titles of all documents dealing with subjects specified as of interest to the requester. The CIA or other IAC analyst who undertakes to employ this facility must first have proved his need to know and established his security accreditation. Once the product [REDACTED] is delivered, the CIA officer may request inspection or retention copy of every document listed regardless of source and according to his own deadline stipulations. The requester from another IAC Agency, however, must return to his home document control system and request access to documents, as a rule, involving several or all of the following measures:

- 1) request search of the system's hard copy document files,
- 2) arrange for recall of copies of documents on loan at the time,
- 3) arrange for access to complete copies (including all enclosures) in action offices in the case of relatively current documents,
- 4) submit inter-library loan requests for documents produced by other IAC agencies which have not been received, or, more frequently, not preserved by his organization,
- 5) arrange to visit source agencies to consult documents of which record copy only is available and for which the agencies will not afford reproduction costs.

The net result of the process under these circumstances is readily predicted. The analyst's deadline will have arrived long before the last [REDACTED] reference becomes available to him.

- f. The exchange of blanket authorizations to disseminate and reproduce IAC documents would not establish standards as to copy service or allocation of costs among consumers. Presumably reciprocal service arrangements would be practical where traffic is heavy, otherwise the requesting agency might expect to bear full cost of service.

4. CONCLUSIONS:

Modification of IAC practice regarding the Third Agency Rule is urgently needed to insure reasonable access for intelligence officers to present

and prospective IAC systems for cooperative indexing, storage and retrieval of intelligence documents.

5. RECOMMENDATION:

That the Ad Hoc Subcommittee on Information Processing endorse an agreement among the IAC agencies which will grant blanket consent to authorized components of the intelligence agencies to disseminate and reproduce IAC documents to third (IAC) agencies without the specific approval of the originating agency.